

Broadband USA Applications Database

Applicant Name: Agri-Valley Communications, Inc.

Public Notice Submissions

-----**Service Area:** Northern Michigan LTE

Submitter: Custom Software Inc. dba/M-33 Access

Comment: Custom Software Inc. dba/M-33 Access is an ISP and CLEC (and ILEC pending FCC approval) based in Rose City Michigan currently providing telecommunications service (voice and data) to customers in seven contiguous counties in northeastern Michigan. The counties in the service area are Alcona, Arenac, Crawford, Iosco, Ogemaw, Oscoda, and Roscommon. There are a number of customers throughout the service area that are receiving high-speed broadband service. This application proposes to serve an area where we already provide DSL services and wireless high speed services that exceed NOFA requirements. To claim this area is un-served or even under-served is an error on their part. The information submitted to RUS in our BIP application did not propose to extend the current service area beyond the present footprint as did most other applicants. This applicant also wants to expand their territories at the expense of current providers effectively putting them out of business. Our application proposes to offer to all residents in the seven county service area a minimum of 2 Mb fixed wireless access. Additionally, those customers along the fiber route will have the opportunity to each have a minimum 20 Mb connection giving them access to voice, video, and data services.

Submitter: Carr Telephone Co.

Comment: ADSL2 Plus is available to 99.9% of our customers.

Submitter: Carr Telephone Company

Comment: ADSL2 PLUS is offered today and is available to 99.5 customers

In 2010 we will be deploying VDSL which is capable of 50 meg to the home.

Submitter: SpeedNet LLC

Comment: SpeedNet LLC a Michigan financed, owned and operated company provides wireless broadband services to thousands of individual residential and commercial customers, including

governmental and public organizations, as the incumbent throughout northern Michigan and the proposed Agri-Valley Communications, Inc service area. SpeedNet has been a service provider in these rural markets since January of 2001. SpeedNet provides last mile publically advertised and available 3 Megabit down by 384 kilobit up true Broadband service through the use of FCC licensed spectrum in the 2.5 to 2.7 BRS and EBS spectrum bands. These Broadband delivery methods are provisioned by SpeedNet through a matrix of company financed, built, managed and maintained tower cell sites interconnected with Dragon Wave licensed point-to-point backhaul. SpeedNet sells this service to its residential customers for \$34.95. The company also offers its customers a VoIP based broadband unlimited telephone service for \$30 a month.

SpeedNet typically activates over 100 new customers each and every month in the proposed Agri-Valley Communications, Inc service area. Today SpeedNet LLC owns and operates many communications cells sites within the proposed service area from Traverse City, Petoskey, and Indian River to Mount Pleasant and Rogers City to Presque Isle and Alpena to Pinconning, Standish and Lachine Michigan. In addition, SpeedNet owns and operates many cell sites outside of the proposed Agri-Valley Communications, Inc service area in Midland, Saginaw, Bay City, and throughout Michigan's thumb communities.

This expansive network was founded, financed and built by Michigan natives John Ogren and Robert Liggett. These individuals own and operate the company today. If funded, Agri-Valley Communications, Inc would use federal stimulus funds to severely damage the private investments made by these individuals and the company and its many employees, contractors, vendors and dealers.

Submitter: Charter Communications

Comment: Charter Communications ('Charter'), a broadband service provider, has invested capital to provide a full range of Broadband services, including High Speed Internet services, in this service area. The applicant's request in the proposed under-served service area would create an overlap in Charter's service area. Charter's response includes the necessary information to validate the overlapping condition as a result of this applicant's request

Submitter: Blanchard Telephone Company

Comment: Blanchard Telephone Company ("Blanchard") is responding to the application of Agri-Valley Communications, Inc. for broadband funding under the ARRA. The applicant's Proposed Funded Service Area includes a portion of Blanchard's service area in the Blanchard exchange in Mecosta and Montcalm Counties, Michigan.

Blanchard's service territory overlaps approximately .08% of the Proposed Funded Service Area located in Mecosta County as drawn by the applicant and as drawn by the respondent in the Public Notice Response form. 100% of Blanchard's customers have access to broadband service at advertised speeds of 3 Mbps or higher in the overlapping area thereby refuting two of the three criteria required for an area to be designated as underserved.

Submitter: Allband Communications Cooperative

Comment: The applicant contends the Proposed Funded Service Area, which overlays an Allband service area, is underserved. As the incumbent service provider, and there are no competitors or the number is limited, Allband has access to sufficient information to determine whether the service area is underserved and has concluded it is not. According to Allband's analysis, 100% of the residential households in the service area have access to broadband service, as defined in the NOFA, and are capable of being served. Of those households capable of being served, the broadband penetration rate is over 56%. Additionally, Allband advertises broadband service which is capable of speeds over 3 Mbps throughout the service area, including in the direct flyers, Web site, and newspaper articles.

Submitter: CenturyLink

Comment: CenturyLink is submitting data that shows the application's proposed service area is not underserved or unserved, under program guidelines. Accordingly, the application must be denied as ineligible. With limited funding and a large pool of applications, program grants and loans must be directed only to areas that are truly underserved or unserved, as stipulated in the program guidelines.

CenturyLink can certify that its affiliates currently offer broadband service in some or all of the applicant's proposed service areas. Attached is a state map that is a representative sample of areas where the application overlaps our existing broadband deployment. CenturyLink also provides data showing broadband availability in our local telephone exchanges within the proposed service areas. We will provide additional information on request if that will further assist the agency's review.

This data is not exhaustive; the application may include other areas also currently served with broadband by other providers, which should be considered in the assessment of the application. Our data combined with that of other broadband providers would likely show further duplication and overlap of broadband services in the proposed service areas.

Submitter: Kaleva Telephone Company

Comment: Kaleva Telephone Company along with it's holding company Kaltelco provide DSL service(up to 20 meg) to:Over 1000 customers in 300 square miles of Manistee County. Kaleva Telephone can provide 99% DSL coverage to it's residential and business cutomers. Kaleva Telephone Company also operates a Clec in AT&T's Onkama exchange. This service area also has coverage for DSL service.

Submitter: Lighthouse Computers, Inc

Comment: Broadband service is currently available from Lighthouse.Net, CenturyTel DSL, AT&T DSL, Charter Cable, Jamadots and Nowdin Wifi in sections of this service area. These sections included in the application are not underserved or unserved by definition and should not have been included. I am responding with the Lighthouse.Net information for areas with service.